

REMARKS

Favorable reconsideration of the present patent application is respectfully requested in view of the foregoing amendments and the following remarks. By the present Amendment, the features of dependent claim 2 have been incorporated into independent claim 1, with claim 2 being canceled.

In this Amendment claims 1, 3, 7, 11, 13, 17, 19 and 20 are amended, claims 2 and 18 are canceled and claims no are added. As a result, claims 1, 3-17 and 19-20 are now pending in the application.

In the non-final Office Action of April 13, 2006, claims 1-20 are rejected under 35 U.S.C. §102(e) in view of U.S. Patent 6,025,837 (Matthews).

35 U.S.C. § 102 Rejection in view of Matthews

The §102 rejection of claims 1-20 in view of Matthews is respectfully traversed.

It is respectfully submitted that the pending rejection cannot be properly maintained in view of claim1, now amended to include the features of dependent claim 2.

One drawback of convergence systems, as discussed in the Background of the present application, occurs when multiple parties would like to watch separate programs at the same time. Although it is known in the art to be able to watch one program while taping another channel for time-delay viewing, this typically requires the system to be so programmed in advance. The present invention overcomes this drawback. Various

embodiments of the present invention allow a user to display information associated with other channels or events without interrupting the present program. In this way the user can program the other channels, for example, to record a concurrently aired event, without need to interrupt the video being aired on the current channel. Claim 1, now amended to include features of canceled claim 2, recites a “display [that] includes a prompt corresponding with at least one function related to the at least one channel; wherein the display includes an on-screen display that combines a graphic element with a broadcast streaming video.” The patent relied upon in the pending rejection does not disclose this feature.

The Matthews patent cited in the pending rejection involves an interactive entertainment system which distributes video content to multiple subscribers over a distribution network. In accordance with one aspect of Matthews, when a viewer activates a hyper link within the electronic program guide (EPG) the user interface launches the browser to activate the target resource specified by the hyperlink. The data retrieved from the target resource is then displayed on the display unit. Contrary to the allegation in the pending rejection, the Matthews patent does not teach a “display [that] includes an on-screen display that combines a graphic element with a broadcast streaming video,” as recited in claim 1. The Office Action contends that Matthews teaches this feature at col. 6, lines 46-58 and Figure 5. The passage at column 6 pertains to details of a continuous media server and video program database, while Figure 5 simply depicts an EPG. Neither of these portions,

nor any other portions gleaned from the Matthews patent, teaches the aforementioned features of claim 1.

Therefore, it is respectfully submitted that the Matthews patent does not disclose the claimed invention, as recited in claim 1. Accordingly, withdrawal of the rejection is requested.

Regarding independent claims 7, 13 and 17, each of these claims has been amended in the present paper, thus obviating the pending rejection. Therefore, withdrawal of the rejection is respectfully requested.

Deposit Account Authorization / Provisional Time Extension Petition

It is believed that the Petition for a one month extension of time accompanying this paper is sufficient. However, to the extent necessary, a petition for a further extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-0439 and please credit any excess fees to such deposit account.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571) 748-4765 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



Scott Charles Richardson
Reg. No. 43,436

McGrath, Geissler, Olds & Richardson, PLLC
P.O. Box 7085
Alexandria, VA 22307

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